

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING HELD SEPTEMBER 17, 2003
PHOENIX, AZ**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on September 17, 2003, at AZ POST, 2643 E. University Drive, Phoenix, AZ.

Members Present:

Chairman Jim Garcia
Dr. Michael Polakowski
Chief Jerry Sheridan
Ms. Laura Reckart, representing Attorney General Terry Goddard
Mr. Robert Forry, representing Director Dora Schriro
Assistant Director Rod Covey, representing Director Dennis Garrett
Chief Joe Vernier
Deputy Tamatha Villar
Ms. Lisa Flores
Sheriff Gary Butler

Members Absent:

Chief Harold Hurtt
Sheriff Clarence Dupnik
Sergeant Gary Eisenga

Staff in Attendance:

Tom Hammarstrom
Lyle Mann
Gary Maschner
Ted Brandon
Steve Jacobs
Rick Watling
Jim DeLung
Crista Capp
Carol Muskus
Lois Sherlock

Counsel for Board in Attendance:

Diana Stabler, Asst. A.G.

Guests Roster:

Jan Madeya, ACIP
Scott Mascher, NARTA/YCSO
Daren Simeona, Navajo Dept. of Law Enforcement
Joe Cappelli, NARTA/PVPD
Lourdes M. Best
Daniel J. Echerivel
Rick Colwell, Yuma P.D.
Cesar Fazz, Yuma P.D.
Eric Hailey, Phoenix P.D./ALEA
John Hallihan, ADC
John Meza, Mesa P.D.
Bruce Poolaw, C.R.I.T. P.D.
Tina and Mysti Poolaw
Hal Collett, La Paz County Sheriff
Bill Richards, SALETC
Tim Hughes, PCSD
Charles Loftus, ASU P.D.
Ismael Evertes, ASU P.D.

A. CALL TO ORDER

Chairman Garcia called the meeting to order at 1:30 p.m.

B. INTRODUCTIONS

None were given.

C. CONSENT AGENDA

Approved unanimously, motion made by Chief Vernier, seconded by Ms. Reckart.

1. Minutes of the meeting held on July 16, 2003, were approved as written.
2. Minutes of the Charging Board meeting held on July 16, 2003, were approved as written.
3. Minutes of the Charging Board held on August 20, 2003, were approved as written.
4. The next scheduled Regular Meeting is Wednesday, November 19, 2003, at 1:30 p.m., at AZ POST, 2643 E. University Drive, Phoenix, AZ.

5. Ministerial Actions:

- a. Certification Waivers: The following individual(s) have met the requirements set forth in AZ POST Rule R13-4-110 and have successfully completed the testing process and verification by AZ POST staff. Therefore, upon Board direction, certified peace officer status has been granted to:

Michael D. Anderson	Page P.D.
Kenneth L. Badyl	PCAO
Richard S. Bagwell	Hayden P.D.
Greg W. Irvine	Lake Havasu P.D.
David A. Moffett	Mohave Co. S.O.
Julie A. Mohr	P.V.P.D.
Randy E. Orick	Buckeye P.D.
Charles E. Rall	MCSO
Larry J. Ratcliff	Peoria P.D.
Frank Samprone	AZ Corp. Commission

- b. Instructor Certification Renewals: LIST ATTACHED TO MINUTES
- c. Training Program Approvals: Agency requests were reviewed by staff and found to comply with Board guidelines. Programs were approved as requested. LIST ATTACHED TO MINUTES.

6. Decertification Case Status Report Update: As of August 27, 2003, the Compliance and Standards Unit has a case load of 81 active cases in various stages of the process. Four cases are ready for initial presentation; 18 cases need further investigation; 11 cases are pending service of or response to a Notice of Complaint for Decision; 1 case is pending hearing; 8 cases are ready for final action, and 39 cases are waiting for outside action, i.e., a criminal trial or civil service hearing.

7. Income and Expense Statement – September 2003

Funds as of July 1, 2003	\$ 715,353.06
CJEF Revenue	703,445.67
Expenditures/Encumbrances	(270,328.98)
Balance for July 31, 2003	\$1,148,469.75

D. REGULAR AGENDA

Academy Audit – Eastern Arizona College Academy. Lyle Mann reported that an audit of Eastern Arizona College was conducted on July 22, 2003. This was an on-site inspection focusing on facility requirements and administrative requirements. Staff noted a high quality in the facilities and organizational support. Staff believes that Eastern Arizona College Academy is in compliance with R13-4-114 and R13-4-116.H.

E. SUMMARY OF CURRENT EVENTS

Executive Director Tom Hammarstrom announced that the AZ POST Board has been chosen for an Ethical Achievement Award presented by the Institute for Law Enforcement Administration. This award will be presented at the 12th Annual International Ethics Conference next month in Plano, Texas. As a result of this award, Executive Director Hammarstrom has been chosen as the Keynote Speaker. The Board congratulated him on being chosen for this honor. Lyle Mann will also be representing the Board as a presenter on the topic of POST's Integrity Bulletin.

The Illinois State Police contacted Executive Director Hammarstrom concerning POST's procedures in terms of handling police dishonesty, particularly perjury. They had made inquiries across the country about where to gather information on this subject. Unanimously, states such as Alaska, Idaho, and Pennsylvania told them to call AZ POST "because they are the people that do it right." Executive Director Hammarstrom was very pleased to announce to the Board they had achieved national recognition.

F. REPORTS

1. BASIC TRAINING

SALETC – Academy Commander Bill Richards reported that currently they have 14 recruits enrolled in the academy. They have approximately 32 reservations for the October academy, with a commitment for three counselors.

ALEA – Academy Commander Eric Hailey reported that they currently have three classes on-going, one set to graduate at the end of September. The largest class consists of 40 students, and the smallest one has 18 students.

COTA – Academy Commander John Hallihan reported that COTA has formed a partnership with the counties, and in Fiscal Year 2003 38 detention officers were trained from six of the counties. The detention officers enjoyed the same curriculum and the same completion of standards that Arizona correction officers do. COTA is enhancing the partnership and the counties have been invited to join COTA's professional development and leadership academies. Two of the counties have already accepted. The partnership with the law enforcement community continues to grow. The use of the facility has increased from approximately 67% to approximately 83% capacity.

Executive Director Tom Hammarstrom added that last year this Board voted to transfer the title of the property at ALETA to ADC so they may use it exclusively for the Correctional Officers Training Academy. ADC made a good-faith promise at that time to always make the facility available for law enforcement use whenever possible. They have demonstrated a great deal of willingness and leadership in getting that accomplished. Over the last couple of months they have housed over 32 police officers.

NAVAJO ENFORCEMENT TRAINING ACADEMY – Sergeant Daren Simeona reported that 16 cadets graduated from their last class in August. Their next class will begin November 3, 2003. They are hoping to start this class with 65 cadets using the TRGP grant. The tribe is considering bonding issues that, if approved, will move the academy to Fort Defiance.

MESA POLICE DEPARTMENT ACADEMY – Academy Commander John Meza reported that they are scheduled to begin their next class on October 13, 2003, with 35 recruits.

NARTA – Academy Commander Scott Mascher reported that their current class has 35 recruits. The next class will begin in January, and the class is filling up quickly. They are looking forward to starting the Comprehensive Exam.

POLICE CORPS – Lyle Mann reported that Police Corps has been awarded funding through January 2004. It is believed they will be further funded because they have been authorized continued recruitment for five to six people in the March 2004 academy class in Utah.

DEPARTMENT OF CORRECTIONS – Robert Forry reported that Director Schriro regretted she was unable to come to the meeting. Personally, Mr. Forry wanted the Board and staff to know that he

appreciates the Director's confidence in allowing him to continue to be her representative when she is unable to attend.

ARIZONA REGIONAL COMMUNITY POLICING INSTITUTE – Tom Hammarstrom reported that AZRCPI has created a calendar of state and local anti-terrorism training programs throughout the state. This is an excellent training program that has been met with a great deal of enthusiasm. Twenty-eight classes have been scheduled between now and the end of the year. The goal is to train 10,000 officers in the next few years.

G. CASES: Consideration and possible action on the certified status of peace officers.

Case #1 – Craig B. Best – Tucson Airport Authority Police Department – The Board considered comments from Asst. A.G. Diana Stabler, Craig Best, and Danny Echerivel, Mr. Best's step-son. Deputy Villar made a motion to adopt the Consent Agreement, Order and Decision and suspend peace officer certification for a period of three months, from June 25, 2002 to September 25, 2002, motion died for lack of a second. Chief Sheridan made a motion to adopt the Consent Agreement, Order and Decision and suspend peace officer certification for one year from June 25, 2002 to June 25, 2003, seconded by Chief Vernier. Motion carried with two nay votes.

Case #2 – Anthony W. Bunten – Phoenix Police Department – Mandatory revocation. Chief Sheridan made a motion to revoke peace officer certification, seconded by Ms. Reckart, motion carried unanimously.

Case #3 – Steven L. Gregory – Phoenix Police Department – Mandatory revocation. Chief Vernier made a motion to revoke peace officer certification, seconded by Ms. Reckart, motion carried unanimously.

Case #4 – Timothy R. Hickey – Phoenix Police Department – Mandatory revocation. Chief Sheridan made a motion to dismiss the Complaint initiated on December 18, 2002, and revoke peace officer certification, seconded by Ms. Reckart, motion carried unanimously.

Case #5 – Lionel B. Poolaw – Colorado River Indian Tribal Police Department – The Board considered comments from Asst. A.G. Diana Stabler, Compliance Specialist Steve Jacobs, Lionel Poolaw and Tina Poolaw. Ms. Flores made a motion to amend the Findings of Fact and dismiss the allegations regarding per diem, so the only allegation remaining would be the DUI accident, and move that peace officer certification be suspended for 18 months, beginning July 3, 2002 to January 3, 2004, seconded by Deputy Villar, motion carried with one nay vote.

Case #6 – Marc J. Scott – Phoenix Police Department – Deputy Villar made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Vernier, motion carried unanimously.

Case #7 – Elfriederick L. Secody – Navajo Division of Public Safety – The Board considered comments from Asst. A.G. Diana Stabler, Elfriederick Secody and Melissa Benally. Chief Vernier made a motion to adopt the Findings of Fact and Conclusions of Law and suspend peace officer certification for a one year period, beginning October 10, 2002, to October 10, 2003, seconded by Ms. Reckart

Case #8 – George D. Tellez – Phoenix Police Department – Mandatory revocation. Sheriff Butler made a motion to revoke peace officer certification, seconded by Chief Vernier, motion carried. *Ms. Reckart recused herself from voting and participation.*

H. CALL TO THE PUBLIC

None received.

I. ADJOURN

Chairman Garcia adjourned the meeting at 3:04 p.m.

Dated September 19, 2003

Lois Sherlock, Recording Secretary